



Philips Intellectual Property & Standards

AUG 09 2006

**FACSIMILE TRANSMITTAL TO
THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| TO: | FACSIMILE NO.: | TELEPHONE NO.: |
|--|--|----------------|
| Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Arlington, VA 22313-1450 | (571) 273-8300 | () - |
| ATTENTION: | Examiner: <u>UNKNOWN</u> Art Unit: <u>UNKNOWN</u> | |

| FROM: | TELEPHONE NO.: |
|---|----------------|
| Christopher J. Horgan, Reg. No. 40,394 | (408) 474-9072 |
| RE: Serial No.: <u>10/537,673</u> Attorney Docket No.: <u>NL021316US</u> | |

TRANSMISSION INCLUDES:

7 Pages (including cover sheet)

Petition for Revival – 2 pagesResponse to Notification of Missing Requirements – 1 pageDeclaration – 1 pageCopy of Notification of Missing Requirements – 2 pages

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office at the number listed above

on 2006-Aug-9
Date

by Daniel L. Muchalek



Philips Electronics North America Corporation
1109 McKay Drive, MS-41
San Jose, CA 95131

Tel (408) 474-9066
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 09 2006

First-Named Inventor: Adriaan P. D. De Pauw
 Application No.: 10/537,673 Conf.: 6500
 Date Filed: 06/06/2005

Docket No.: NL021316US
 Art Unit: Unknown
 Examiner: Unknown

Title: FRAME DRIVE APPARATUS AND METHOD

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a USPTO notice or action dated 10/05/2005.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer w/disclaimer fee (if filed before 6/8/1995); and (4) Statement that the entire delay was unintentional.

1. PETITION FEE UNDER 37 CFR §1.17(m):

Please charge the petition fee to Deposit Account 14-1270.

2. REPLY AND/OR FEE:

The reply and/or fee to the above-noted Office Action in the form of Response to Notification of Missing Requirements Under 35 USC 371 in the DO/EO/US
 has been filed previously on ____.
 is enclosed herewith.

The issue fee
 has been paid previously on ____.
 is enclosed herewith.

3. TERMINAL DISCLAIMER WITH DISCLAIMER FEE:

Since this application was filed after June 8, 1995, no terminal disclaimer is required.
 A terminal disclaimer and the required disclaimer fee disclaiming the required period of time is enclosed herewith.

4. STATEMENT:

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Aug 09 2006 10:00AM PHILIPS IP&S SAN JOSE, CA 4084749080

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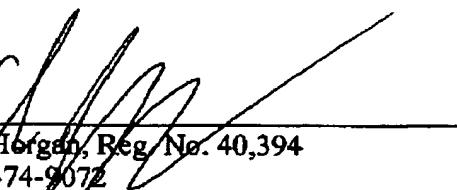
AUG 09 2006

Please charge any fees which may be required, or credit any overpayment to Deposit
Account No. 14-1270.

Date: 8/7/06

Respectfully submitted,

By


Chris Horgan, Reg. No. 40,394
(408) 474-9072

Philips Electronics North America Corp.
1109 McKay Drive MS41-SJ
San Jose, California 95131

Enclosures: Fee Payment
 Reply
 Terminal Disclaimer Form
 Additional sheets containing statements establishing unintentional delay
 Other: Response to Notification of Missing Requirements Under 35 USC 371
in the DO/EO/US

CERTIFICATE OF MAILING or TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to "Commissioner for Patents, Washington, D.C. 20231," or being facsimile transmitted to the USPTO at (571) 273-8300, on the date indicated below.

(Date) 2006-Aug-9

(Signature)

(Name) Daniel L. Michalek

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AUG 09 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First-Named Inventor: Adriaan P. D. De Pauw
 Application No.: 10/537,673 Conf.: 6500
 Date Filed: 06/06/2005

Docket No.: NL021316US
 USPTO Customer No. 24738

Title: FRAME DRIVE APPARATUS AND METHOD

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE DO/EO/US**

Sir:

In response to the Notification of Missing Requirements dated 10/05/2005, please note the following remarks. Applicant is currently presenting for the above-captioned application:

- an executed Declaration and Power of Attorney.
- a copy of the USPTO Notification of Missing Requirements.
- authorization to charge any fees due at this time to deposit account no. **14-1270**.
- other: Petition for Revival of an Application for Patent Abandoned Unintentionally.

Applicant believes that the concerns raised by the Notification of Missing Requirements under 35 U.S.C. 371 in the DO/EO/US have been addressed. Therefore, Applicant respectfully requests that a patent issue without further delay.

The Commissioner is hereby requested and authorized pursuant to 37 CFR §1.136(a)(3), to treat any concurrent or future reply in this application requiring a petition for extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. Please charge any additional fees which may now or in the future be required in this application, including extension of time fees, but excluding the issue fee unless explicitly requested to do so, and credit any overpayment, to Deposit Account No. 14-1270.

Date: 8/7/06

Respectfully submitted,

By

Chris Morgan, Reg. No. 40,394
 (408) 477-9072

Philips Electronics North America Corp.
 Intellectual Property & Standards
 1109 McKay Drive, MS 41-SJ
 San Jose, California 95131

| | |
|---|---------------------------|
| CERTIFICATE OF TRANSMISSION | |
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO at (403) 746-4060, on the date indicated below. | |
| (Date) | <u>2006 Aug - 7</u> |
| (Signature) (Name) | <u>Daniel L. Nachalek</u> |

Received Fax : Apr 12 2006 4:13AM Fax Station : PHILIPS IP&S SAN JOSE, CA

13.APR.2006 14:17 PHILIPS SC-ICE +31 40 2723440

NR.753 P.4/5

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AUG 09 2006

DECLARATION — Utility or Design Patent Application

Direct all correspondence to: Customer Number **24738** AND/OR Correspondence address below

PHILIPS ELECTRONICS NORTH AMERICA CORPORATION
Name: **Intellectual Property & Standards**

Address: **1109 McKay Drive, M/S-41SJ**

City: **San Jose** State: **California** ZIP: **95131**

Country: **U.S.A.** Telephone: **(408) 474-9073** Fax: **(408) 474-6082**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor

| | | | |
|--|-------------------------------|----------------------------|----------------|
| Given Name (first & middle if any): | ADRIAAN PHILIPPE DIGNA | Family Name or Surname: | DE PAUW |
|--|-------------------------------|----------------------------|----------------|

| | | | |
|--------------------------|--|-------|----------------------|
| Inventor's Signature: | | Date: | 13 APRIL 2006 |
|--------------------------|--|-------|----------------------|

| | | | | | |
|------------------|------------------|--------|--------------------|--------------|-------------------------|
| Residence: City: | Eindhoven | State: | Netherlands | Citizenship: | NL (Netherlands) |
|------------------|------------------|--------|--------------------|--------------|-------------------------|

| | | | | | |
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| Mailing Address: | Zandtong 89 | | | | |
| City: | Eindhoven | State: | 5658 AX | Country: | Netherlands |

Declaration

[Page 2 of 2]

Page 1 of 2

NL PDR

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

| | | |
|-----------------------------|-----------------------|-------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | A'TTY. DOCKET NO. |
| 10/537,673 | Adriaan P. D. De Pauw | NL02 1316 US |

24738
 PHILIPS ELECTRONICS NORTH AMERICA CORPORATION
 INTELLECTUAL PROPERTY STANDARDS
 1109 MCKAY DRIVE, M/S
 SAN JOSE, CA 95131

PHILIPS IP&S - SJC

| | | |
|--------------|-----|-------------|
| Received | SJC | OCT 12 2005 |
| Docketed IN | DM | OCT 12 2005 |
| NL Copied | | |
| Docketed OUT | | |

| | |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/IB03/05606 | |
| I.A. FILING DATE | PRIORITY DATE |
| 12/03/2003 | 12/06/2002 |

CONFIRMATION NO. 6500
 371 FORMALITIES LETTER

 OC000000017110844

Date Mailed: 10/05/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/06/2005
- Copy of the International Search Report filed on 06/06/2005
- Preliminary Amendments filed on 06/06/2005
- U.S. Basic National Fees filed on 06/06/2005
- Priority Documents filed on 06/06/2005
- Power of Attorney filed on 06/06/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

Page 2 of 2

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/537,673 | PCT/IB03/05606 | NL02 1316 US |

FORM PCT/DO/EO/905 (371 Formalities Notice)